Secrt. II-27—100,006—21-5-53.

Food (1949) Department.

MS SERIES.

G.O. No. 495

Dated 15-6-49.

[Despatch Abstract.]

Rationing - Tightening up of legal enforcement of all food control and rationing - Reply to the Government of India - Papers -Recorded -

NO.RT-1008/52/341
Government of India
Ministry of Food.

New Delhi, the 28th March, 1949.

From

C.P.K. Menon, Esq.,
Director General of Food.

To

All Provincial Governments and Administrations (including Himachal Pradesh and Cutch) and the States of Hyderabad(Dn.), Mysore, Travancore, Cochin, Baroda, Kashmir, Bhopal, Jodhpur, Jaipur, Bikaner, Rajasthan Union, Matsya Union, Madhyabharat Union, Saurashtra Union, Vindhya Pradesh Union and Patiala & East Punjab States Union.

All Regional Food Commissioners.

SUB:- TIGHTENING UP OF LEGAL ENFORCEMENT OF ALL FOOD CONTROL AND RATIONING ORDERS.

Sir,

I am directed to invite a reference to this Ministry Confidential Express letter No.PY.619/34, dated the 25th September 1948, and to request that in connection with the legal enforcement of the food control and rationing orders that may be issued by your Government the suggestions conveyed in this Ministry letter No.RT-1008/52/41, dated the 8th July, 1946, addressed to all Provinces and Administrations etc. (copy enclosed) may please be noted for necessary action.

2. This Ministry may please be informed in due course of the progress of action on this subject.

Yours faithfully,
(Sd.) C.P.K.Menon,
Director-General of Food.

Copy to:-
1. All Ministries of the Govt. of India.
2. Prime Ministers Sectt.
3. Cabinet Sectt.
4. Dy. Regional Food Commissioner, Indore/Rajkot/Abu.
5. Ps. to H.M.(2) Secretary, DGF; US(BP); US(P); D.P.I.O.

Copy of letter No.RT-1008/52-41 dated the 8th July,1946, from B.R.Sen, Esqr., C.I.E., I.C.S., Secretary to the Govt. of India, New Delhi, to All Provinces, Administrations and Residents.

Subject:- Tightening up of legal enforcement of all Food Control and Rationing Orders.

I am directed to refer to this Department's letter No.R.1014/1, dated June 30, 1944, in which information was asked in respect of statutory food measures adopted, and the machinery of legal enforcement set up in the Provinces & States. I am also to refer to this Department's letter No.ST-837 dated January 24, 1944, in which returns were asked for of food offences and prosecutions from the various Governments, the form for which was prescribed, and has been revised from time to time with a view to make the information asked for more complete.

2. The returns received in this Department show that although the various Governments have been taking measures against the food offenders there is considerable divergence in the effectiveness of the Administration of the various

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various Governments have been taking measures against the food offenders there is considerable divergenceevarious food control orders in the different Provinces and States, While enforeement is fairly effective in some, it is very poor in other parts of the country. In many cases the penalties imposed are so small as to render presentation futile. It is also noticed that in a number of cases the offenders have been let off merely by some administrative action without being brought before the courts.

3. In the present food emergency, strict enforcement of the food control and economy measures is of paramount importance. All Provincial and State Governments are asked t therefore to review their food control measures, adding to or amplifying them wherever necessary, so as to close all avenues for black-marketing hoarding, Smuggling and unlicensed distribution and consumption of food. At the same time, instances of corruption in the staff administering these measures should be promptly and severly dealt with, as it is essential that the incorruptability of the staff should be firmly established.

4. The annexed schedule gives some suggestions for tightening up the enforcement procedure These suggestions, which are not exchaustive, have been given in the light of information received from Administrations.

5. Some Provinces and States, and also this Department use the figures of offences, prosecutions and punishments for purposes of publicity. It is considered desirable that the Government concerned should give much wider and more pointed publicity to the offences and the offenders and make examples of important cases for deterrent effect.

It is requested that the action taken on this letter may be reported to this Department as soon as convenient.

SCHEDULE.

(a) SPECIAL ENFORCEMENT BRANCH:

Establishment of a Special Enforcement Branch in charge of a Senior Officer, for enforcing the Food Control Orders, Rules and Regulations, detecting and investigating cases of food offences and conducting prosecutions in close liaison with the Rationing Inspectors and the leallocal police.

(b) TRAINING:

Proper training in the detection of cases and collection of proper evidence to the Inspectorial staff at head quarters and the Ward/Circle/Area Rationing Officers. Many cases fail in the law courts due to lack of proper evidence or its proper marshalling. The Inspectors should be made fully conversant with the Rationing Orders, etc. through periodical talks given by the Senior Officer of the Enforcement Branch and tests held.

(c) INSPECTION AND REPORTS:

The Controller of Rationing or the Officer-in-Charge of a Rationing Organisation should pay special attention to the weekly/fortnightly reports of the progress of legal enfrocement and note any lapses or excesses by the staff. All cases of breach of food laws should invariably be reported to the Senior Officer and neither clemency nor harrassment should be countenanced.

(d) SUPERVISION OF BARRIERS:

Proper supervision at the barriers of the /contd:-

~~supervision at the~~ barriers ~~of the~~ rationed area to check illegal imports and exports of rationed articles.

(e) PUBLIC SUPPORT:

It would be of value to make every effort to enlist public support in the measures of enforcement and the cases of offences should invariably be put before the local Food Advisory Council for its information.

(f) SURPRISE CHEKCKS:

Surprise chekks should be made on the retailers and the establishments to eliminate black-marketing, short weight benami or bogus sales etc. and check quality, stocks and account.

(g) PERIODICAL CHEKCS:

Periodical chekc by a percentage re-enumeration to ensure that there are no 'ghost' cards or cards not surrendered due to absence or death.

(h) EMPLOYMENT OF MOBILE SQUAD:

In towns with a population of 2 lakhs or ever, a Mobile Squad consisting of one Inspector drawn from each Ward/Circle/Area Rationing Office may be set up to effect surprise chekcks of particular areas assigned to them. The Mobile Squad should be given original Enumeration(Enquiry) Forms for a particular locality and should be asked to make house to house enquirieis to detect 'ghost' or 'Bogus' ration cards.

GOVERNMENT OF MADRAS,
FOOD DEPARTMENT.

Lr.No.13357B/49-2,
Dated 10-6-1949.

To
The Director of General of Food, NEW DELHI.

Sir,

Sub: Tightening up of legal enforcement of all Food Control and rationing orders.
Ref: Your letter No.RT-1008/52/41, dated 28-3-49.

With reference to your letter cited I am directed to reply as follows:-

Para 3 of the Government of India letter dated 8-7-1946:- Following the adoption of the policy of recontrol in this Province most of the control orders with which were in force before decontrol have been revieved. The tendency to blackmarket has been reduced to a great extent by offering enhanced rates to the producers and liberalising the grant of licences to trade in controlled foodgrains by issue of such licences to those who were in the trade before 1942 provided that there is nothing against such traders. Hoarding of foodgrains has been checked by authorising officers to requisition stocks when they have reasonto believe that stocks are hoarded. Smuggling is prevented by having anti-smuggling squad on the borders of districts etc. Corruption in staff is detected by the vigilance of the Special Branch of the police and suitable action taken against such members of the staff.

Special enforcement branch:- There is no special Enforcement Branch as such in this Province. For the enforcement of rationing orders the Commissioners of Civil Supplie

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is assisted by the Provincial Controller of Food Rationing who is in charge of the general administration of rationing. In the districts the administration of rationing orders and their enforcement is entrusted to the District Rationing Officers assisted by the executive staff. The investigation and prosecution of offences is done by the staff of the Revenue and Commercial Taxes departments in the case of Food control offences other than rationing and by the rationing staff in the case of rationing offences with the help of the normal police, staff. The existing arrangements have been working satisfactorily. The need for special enforcement staff has not been felt in this Province.

Training: For rationing in this Province no special training other than that required to teach enumeration officers and checking officers, their ordinary work is found necessary. As Rationing Officers are also assisted by public prosecutors in cases of doubt etc., the failure of the causes due to lack of proper evidence or its proper marshalling is very rare.

The Checking Inspectors and Enquiry Officers are made fully conversant with the Rationing Orders etc., through periodical instructions given by the Rationing Officers, Deputy Controllers of Food Rationing and Provincial Controller of Food Rationing are also giving similar instructions during their inspections.

Inspection and reports:- The Provincial Controller of Food Rationing is obtaining every month from each Rationing Officer a statement of offences under the Madras Rationing Order, 1947. He reviews these statements and issues suitable instructions to the Rationing Officers. All cases of breaches of food laws are invariably reported to the District Rationing Officer or District Supply Officer in the muffassal and the City Rationing Officer in Madras City, who are authorised to sanction prosecution for Rationing Offences. In the case of offences relating to "parties" and "marriage parties" District Magistrates have been authorised to sanction prosecutions. They have been advised not to launch prosectuion in tehhnical cases which will result in harassment to the public. No clemency is also countenanced.

Supervision of barriers:- Prior to derationing, there was preventive staff stationed all round statutory rationed areas to check movement of rationed qaarticles from and into the rationed areas. As these chowkiposts were found to be open to grave abuse they have been abolished. The question of revival of these posts in certain areas will be examined by the Board of Revenue(Civil Supplies)

Public Support: A list of cases of offences under the Food Control Orders is placed before the Rationing Advisory Committees of the respective areas for information.

Surprserise checks: The accounts and stocks of retailers and establishments are checked periodically by the Checking Inspectors appointed for the purpose. The Rationing Officers, Assistant Rationing Officers and Taluk Supply Officers also check the accounts and stocks of retailers and establishments and these are in the nature of surprise checks and no advance intimation is given to retailers and owners of establishments. Periodical surprise checks of the accounts of licencees are made by the staff of the Commercial Taxes Department also.

Periodical chekcks:- There is a systematic overcheck of Rationing Enquiry Forms to see that changes in the household are not concealed and this goes on all

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all through the year. Rationing Officers also organise surprise mass over-check of Rationing Enquiry Forms every week. The proper conduct of these verifications is watched by the District Rationing Officers while reviewing the diaries of the subordinate Rationing Officers. These reviews are in turn scrutinised by the Provincial Controller of Food Rationing. In the old areas where rationing continued the old Rationing Enquiry Forms were renewed in some cases and are being renewed in some others with a view to eliminate bogus or ghost ration cards. These steps appear sufficient to ensure that all bogus or ghost ration cards are eliminated.

Mobile Squads: In view of the systematic over-check of Rationing Enquiry Forms and Surprise checks held in this Province as mentioned above, there is no necessary necessity to appoint a Mobile Squad as suggested by the Government of India.

Yours faithfully,

(Sd.) x x,
Secretary to Government.

Copy to:-
The Board of Revenue(Civil Supplies)
The Regional Food Commissioner, Madras.

TO A.S.

No further action is required in this file. The papers may be recorded as G.O.Ms. for future reference and guidance.

(Sd.)xxxx,
14-6-49.

G.O.Ms.No.495, dated 15-6-1949.

Rationing - Tightening up of Legal Enforcement of all food control and rationing orders - Reply to Govt. of India - Papers - Recorded -

(Sd.)xxx
13-6-49.

/True copy/

Superintendent,
Madras Record Office.

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